

UNSEALED 8-17-2015

SEALED

U.S. Department of Justice

Criminal Docket

Washington, D.C.

Presented in Corpus Christi, Texas

CORPUS CHRISTI Division

Magistrate No.: N/A

File: INDICTMENT

Filed: AUGUST 12, 2015

County: Nueces

LIONS #: 2014R11881

CR. No.:

C - 15 - 691

Judge:

JUDGE HAYDEN HEAD

Attorneys:

United States of America

KENNETH MAGIDSON, U.S. ATTORNEY

RUBEN PEREZ, ASST. U.S. ATTORNEY

GRAND JURY ACTION

APP'D RET

v.

JIMMY GARZA, JR

PLEASE INITIAL

RAMIRO SERRATA, JR.

TRUE BILL:

NO BILL:

Charge(s):

Ct. 1: (Both Defendants) Did knowingly and willfully combine, conspire, and agree with one another and with other persons known and unknown to the government to commit offenses against the United States of America, to wit, hate crimes, in violation of 18 U.S.C. § 249(a)(1) and (a)(2): 18 USC § 371.

Ct. 2: (Both Defendants) Did willfully cause bodily injury to K.G. by assaulting K.G., including by whipping him, because of K.G.'s actual and perceived race and color, namely that he is black, which offense included kidnapping: 18 USC § 249(a)(1) and 18 USC § 2.

Ct. 3: (Both Defendants) Did willfully cause bodily injury to K.G. by assaulting K.G., including by sodomizing K.G. with multiple objects, because of K.G.'s actual and perceived sexual orientation, namely that he is gay, which offense included aggravated sexual assault and kidnapping: 18 USC § 249(a)(2) and 18 USC § 2.

Ct. 4: (Both Defendants) Did knowingly use, carry, and brandish a firearm during and in relation to a crime of violence, that is hate crimes as described in Count 2 and 3 of the Indictment and conspiracy to commit hate crimes as described in Count 1 of the Indictment, and knowingly possessed a firearm in furtherance of these crimes: 18 USC § 924(c)(1)(A) and 18 USC § 2.

Total

Counts:

(4)

Penalty: Ct. 1: Not more than 5 years imprisonment, or a fine of not more than \$250,000, or both; at least 1 year but not more than 3 years SRT; and a \$100.00 Special Assessment.
Cts. 2 & 3: Any term of imprisonment or up to life imprisonment, or a fine of not more than \$250,000, or both; at least 2 years but not more than 5 years SRT; and a \$100.00 Special Assessment.
Ct. 4: Not less than 7 years imprisonment, or a fine of not more than \$250,000, or both; at least 2 years but not more than 5 years SRT; and, a \$100.00 Special Assessment.

In Jail: _____

On Bond: _____

No Arrest: Motion for Arrest Both Defendants